

ONE HUNDRED THIRD LEGISLATURE - SECOND SESSION - 2014

COMMITTEE STATEMENT

LB132

Hearing Date: Friday January 25, 2013
Committee On: Health and Human Services
Introducer: Nordquist
One Liner: Adopt the Skin Cancer Prevention Act

Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:
Aye: 6 Senators Campbell, Cook, Crawford, Gloor, Howard, Watermeier
Nay:
Absent:
Present Not Voting: 1 Senator Krist

Proponents:
Senator Jeremy Nordquist
Kasey Shriver
David J. Watts
Tricia Hultgren, MD

Mary Finnegan
Debra Esser

Stacie R. Bleicher
David Holmquist
Joan Lappe
Jessica Guerrero
Teresa Roddy

Opponents:
Joseph Levy
Dana Morinelli
Barton Bonn
Monica Parris
Michelle Grubbs
Steve Grasz
Heather Almond
Deb Davis

Neutral:

Representing:
District 7
Self
Nebraska Medical Association
Nebraska Dermatology Society, American Academy of Dermatology Association, American Society for Dermatologic Surgery Association
Nebraska Dermatology Society
Coventry Health Care, Coventry Cares of Nebraska, LiveWell Omaha
Nebraska Chapter, American Academy of Pediatricians
American Cancer Society, Cancer Action Network
Creighton Osteoporosis Research Center
Self
Nebraska Nurses Association

Representing:
American Suntanning Association
Ashely Lynn's Tanning
Ashely Lynn's Tanning
Alternative Tan
Max Tan
Husch Blackwell, Nebraska Indoor Tanning Association
Ashely Lynn's Tanning
Self

Representing:

Summary of purpose and/or changes:
LB 132 (Nordquist) to adopt the Skin Cancer Prevention Act.

The Skin Cancer Prevention Act makes it unlawful for an operator, owner, or lessee of a tanning facility to allow anyone less than 18 years old to tan at the tanning facility. The owner, operator, or lessee must require proof of age through a government issued identification before allowing a person to tan. Moreover, the owner, operator or lessee may be charged with a Class Five misdemeanor if they violate the provisions of this act. However, the Skin Cancer Prevention Act does not apply to anyone with a physician's request that they use the tanning for medicinal purposes or to anyone who owns their own tanning equipment and does not use it for commercial purposes. Finally, the act mandates that the tanning facility display a conspicuous sign outlining the dangers associated with tanning and the legal requirements subject to this act.

The Skin Cancer Prevention Act defines tanning equipment to be any device that emits electromagnetic radiation within 100-400 nm in wavelength. This includes tanning equipment such as sunlamps, tanning booths, or tanning beds.

Explanation of amendments:

LB 132 (Nordquist) to adopt the Skin Cancer Prevention Act.

The Committee Amendment bans tanning for minors under the age of sixteen but allows for an exemption for individual's with a physician's order. The amendment renames the Act, formerly the Skin Cancer Prevention Act, to the Indoor Tanning Facility Act. It requires tanning facilities to post a warning sign inside the facility. The Health and Human Services department is required to investigate complaints. Violation of the Act subjects the operator, owner or lessee of the facility to a \$100 civil penalty. It provides for a owner of a tanning facility to be added to the Board of Cosmetology. The amendment requires the owner, operator, or lessee of the tanning facility to ensure compliance with all applicable federal laws and regulations and the Indoor Tanning Facility Act. Finally, the amendment states that it is the intent of the Legislature that the Indoor Tanning Facility Act be implemented and enforced in a manner that ensures equal treatment of all tanning facilities.

Kathy Campbell, Chairperson